



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Goetz et al.

Serial No. 10/511,664

Filed: October 18, 2004

For: NOVEL MAXI-K BLOCKERS, METHODS OF USE AND
PROCESS FOR MAKING THE SAMEArt Unit: TO BE ASSIGNEDExaminer: TO BE ASSIGNED

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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MERCK & CO., INC.

By Christine Dona Date 3/2/05

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

the attached information is filed within three months of the filing date of the captioned case.

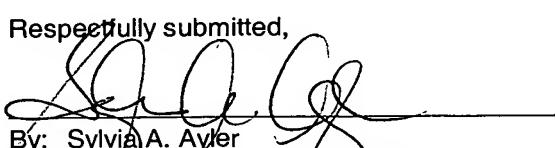
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the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).

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the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,


By: Sylvia A. Ayler
Attorney For Applicant(s)

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MERCK & CO., INC.

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(732)594-4909

Date: March 2, 2005

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MAR 04 2005

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of

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COMBINE IF KNOWN

Application Number	10/511,664
Filing Date	October 18, 2004
First Named Inventor	Goetz et al.
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	21121YP

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	16.	PCT	WO 89/10757	A1	Leo Pharmaceutical Prodcuts Ltd.	11/16/1989
	17.	PCT	WO 94/28900	A1	Vide Pharmaceuticals	12/22/1994
	18.	PCT	WO 96/33719	A1	Allegan	10/31/1996
	19.	PCT	WO 04/037786	A2	Merck Frosst Canada & Co.	05/06/2004
	20.	PCT	WO 03/047417	A2	Merck & Co. Inc.	06/12/2003
	21.	PCT	WO 03/103664	A1	Merck Frosst Canada & Co.	12/18/2003
	22.	PCT	WO 04/019938	A1	Merck Frosst Canada & Co.	03/11/2004
	23.	PCT	WO 04/085430	A1	Merck Frosst Canada & Co.	10/07/2004
	24.	PCT	WO 03/047513	A2	Merck & Co. Inc.	06/12/2003

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	25.	S. R. Moore et al., "Development and Aging of Cell Topography in the Human Retinal Pigment Epithelium", 1997, pp. 2016-2026, Vol. 38, Investigative Ophthalmology & Visual Sciences.
	26.	R. A. Schumer et al., "The Nerve of Glaucoma!", 1994, pp. 37-44, Vol. 112, Arch Ophthalmol.
	27.	L. Dandona et al., "Selective Effects of Experimental Glaucoma on Axonal Transport by Retinal Ganglion Cells to the Dorsal Lateral Geniculate Nucleus", 1991, pp. 15930-1599, Vol. 32, No. 5, Investigative Ophthalmology & Visual Sciences.
	28.	B. J. Wilson et al, "Toxin from Aspergillus Flavus: Production on Food Materials of a Substance Causing Tremors in Mice", 1964, pp. 177-178, Vol. 144, Science.
	29.	M. R. TePaske et al, "Aflavarin and Beta-Aflatrem: New Anti-Insectan Metabolites from the Sclerotia of Aspergillus Flavus", 1992, pp. 1080-1086, Vol. 55, No. 8, J. of Natural Products.
	30.	K. Nozawa et al., "Structures of Two Stereoisomers of a New Type of Indoloditerpene Related to the Tremorgenic Mycotoxin Paxilline, from Emericella Desertorum and Emericella Striata", 1987, pp. 1157-1159, J. Chem. Soc. Chem. Commun.
	31.	K. Kawai et al., "Structure of a New Type of Indoloditerpenoid from Emericella Purpurea", 1994, pp. 1673-1674, J.C.S. Perkin I.
	32.	J. B. Gloer et al., "Nominine: A New Insecticidal Indole Diterpene from the Sclerotia of Aspergillus Nomius", 1989, pp. 2530-2532, Vol. 54, J. Org. Chem.
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	37.	A. E. De Jesus et al., "Structure Elucidation of the Janthitrem. Novel Tremorgenic Mycotoxins from Penicillium Janthinellum", 1984, pp. 697-701, J. Chem. Soc.
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Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	40.	C. O. Miles et al., "Large-Scale Isolation of Lolitrem B and structure Determination fo Lolitrem E", 1994, pp. 1488-1492, Vol. 42, J. Agric Food Chem.
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	48.	K. Nozawa et al., "Isolation and Structures of Two New Indoloditerpenes Related to Aflavinine from a Microsclerotium-Producing Strain of Aspergillus Flavus", 1989, pp. 626-630, Vol. 37, No. 3, Chem Pharm. Bull.
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	55.	B. J. Wilson et al., "Tremorgenic Toxin from Penicillium Cyclopium Grown on Food Materials", 1968, pp. 77-78, Vol. 220, Nature.
	56.	A E. De Jesus et al., "Tremorgenic Mycotoxins from Penicillium Crustosum: Isolation of Penitrem A-F and the Structure Elucidation and Absolute Configuration of Penitrem A1", 1983, pp. 1847-1856, J. Chem. Soc. Perkin Trans.
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	65.	K. Nozawa et al., "Studies on Fungal Products, Part 17. Isolation and Structures of Novel Indoloditerpenes, Emindoles DA and DB, from Emericella Desertorum: A-Ray Molecular Structure of Emindole DA Acetate", 1988, pp. 1689-1694, J. Chem. Soc. Perkin Trans.
	66.	K. Nozawa et al., "Studies on Fungal Products, Part 19. Isolation and Structure of a Novel Indoloditerpene, Emindole SA, from Emericella Striata", 1988, pp. 2155-2160, J. Chem. Soc. Perkin Trans.

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